

ment is modified by striking the words "a person chosen" in line 5 and inserting the words "an appointee", and striking the words "person chosen" in line 8 and inserting the word "appointee".

Delegate Ritter?

DELEGATE RITTER: I would like to see if Delegate Gallagher would accept a further amendment to his amendment.

THE PRESIDENT: State the amendment.

DELEGATE RITTER: In line 7, "his predecessor", strike those words and add "the person last elected to that office".

THE PRESIDENT: Delegate Gallagher, did you hear the suggestion?

DELEGATE GALLAGHER: Might I ask Delegate Ritter why he would prefer this language?

THE PRESIDENT: Delegate Ritter.

DELEGATE RITTER: I feel that there is a period of time between the election and the time that the delegates are sworn in that somebody might die and he might have been one of a previous political party, therefore they might go back to the predecessor, which might be of the opposite party than the one that was elected.

THE PRESIDENT: Delegate Gallagher, his point is, I am not sure whether you caught it, that there might be a person elected who would die before qualifying and hence would not be the predecessor.

DELEGATE GALLAGHER: Well, Mr. President, I think that that would be the effect of what we would want. We would want the person last elected, even if he did not qualify, so I do not object to the language, to substitute "the person last elected" for "his predecessor".

THE PRESIDENT: I do not think you can just leave it hanging there, can you, just to say "the person last elected"?

DELEGATE GALLAGHER: "To the office".

THE PRESIDENT: Is there any objection to further modifying the amendment by in line 7 striking the words "his predecessor" and inserting the words "last elected to the office"?

The Chair hears none. The amendment is so modified.

Delegate Rybczynski.

DELEGATE RYBCZYNSKI: I do not think that was complete. The words to be substituted are "the person last elected to that office".

THE PRESIDENT: Thank you.

Is there any objection to the modification in line 7 to strike "his predecessor" and insert "the person last elected to that office"?

With no objection, the amendment is so modified.

As now modified, the amendment reads "An appointee to fill a vacancy, when succeeding a party member, shall be a member of the same political party as the person last elected to that office. The appointee shall serve only until".

Is there any further discussion?

Delegate Burdette.

DELEGATE BURDETTE: I should just like to make a bit of legislative history in endorsing this to say that I now understand it, and I think we did in the Committee on Style or at least most of us that the General Assembly can prescribe any method it desires by law to fill a vacancy, but if it does provide the appointment route then the provisions with respect to the appointment apply.

THE PRESIDENT: Delegate Gallagher.

DELEGATE GALLAGHER: Mr. President, I agree. It was laborious history, and I thank the Committee and the house for bearing with us.

THE PRESIDENT: Is there any further discussion?

Delegate Boyles.

DELEGATE BOYLES: I have a question of the Chair, sir. Does this present any problem if the person who has died is not a member of any political party?

THE PRESIDENT: I am not sure I understood your question.

DELEGATE BOYLES: It is not necessary to be a member of a political party. What does the governor do where the man was not a member of any political party?

THE PRESIDENT: The restriction does not apply. The sentence is "an appointee to fill a vacancy when succeeding a party member." If he is not succeeding a party member this sentence is not applicable.

Is that the proper interpretation, Delegate Gallagher?